

## UNITED STATES DISTRICT COURT

Southern

District of

New York

Picture Patents, LLC

V.

## SUMMONS IN A CIVIL ACTION

Aeropostale, Inc.  
Dick's Sporting Goods, Inc.  
Charlotte Russe, Inc.  
GSI Commerce Solutions, Inc.  
Fogdog, Inc.  
National Basketball Association, Inc.  
NBA Properties, Inc.  
NBA Media Ventures, LLC  
Major League Baseball Properties, Inc.  
MLB Advanced Media, L.P.  
Linens 'n Things, Inc.  
Tweeter Home Entertainment Group, Inc.  
Tweeter Newco, LLC  
Tweeter Opco, LLC  
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: Charlotte Russe, Inc.  
4645 Morena Blvd.  
San Diego, CA 92117

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

FEB 13 2008

(By) DEPUTY CLERK

OAO 440 (Rev. 8/0 1) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me(1)	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PICTURE PATENTS, LLC,

Plaintiff,

Civil Case No. 07cv5567

-against-

AFFIDAVIT OF SERVICE

AEROPOSTALE, INC., et al.,

Defendants.  
-----X

STATE OF CALIFORNIA )

S.S.:

COUNTY OF SAN DIEGO )

T. SETVANPOUR, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the ~~27~~<sup>29</sup> day of February, 2008, at approximately the time of 10:20 Am, deponent served a true copy of the SUMMONS IN A CIVIL ACTION; SECOND AMENDED COMPLAINT; 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; INDIVIDUAL PRACTICES OF JUDGE JOHN G. KOELTL; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN upon CHARLOTTE RUSSE, INC. at 4645 Morena Boulevard, San Diego, CA, by personally delivering and leaving the same with JENNIFER BOLINGER who informed deponent that she holds the position of Senior VP of HR with that company and is authorized by law to receive service at that address.

**DLS****Demovsky Lawyer Service**Premier Nationwide Document Retrieval  
and Process Service Company

JENNIFER BOLINGER is a white female, approximately 55 years of age, stands approximately 5 feet 8 inches tall, weighs approximately 150 pounds with dark hair and dark eyes.

T. SETVANPOUR

State of California, County of San Diego  
Subscribed and Sworn to (or affirmed) before me on  
this 29 day of February, 2008 By  
Ted Setvanpour, personally  
known to me or proved to me on the basis of  
satisfactory evidence to be the person(s) who  
appeared before me.

  
NOTARY PUBLIC